

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### Amendment to the Claims

1-12 (Previously withdrawn)

13. (Currently Amended) A disposable absorbent garment comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet such that a longitudinal centerline of said garment extends through said topsheet, said backsheet, and said absorbent core, wherein said topsheet, said backsheet and said absorbent core provide a central body of said disposable absorbent garment; and

an elastic composite band attached to said central body, said elastic composite band having a first side edge attached to said central body, a second side edge, and a composite centerline extending in a direction extending continuously between, and in generally parallel relation with, said side edges, said elastic composite band including a base layer, a top layer, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge; and

wherein said elastic construction includes an arrangement of a plurality of spaced apart and independent elastic elements distributed [[in a]] along a direction extending between said side edges from a first elastic element in the arrangement to a last elastic element in the arrangement to form a substantially continuous, laterally elasticized region extending substantially continuously from a vicinity of said first elastic element through said last elastic element, [[each]] said elastic elements being aligned in generally perpendicular relation with said composite centerline; and [[.]]

wherein said elastic elements are spaced inwardly from said side edges of said top and base layers to provide a first non-elasticized region between said elasticized region and said first side edges and a second non-elasticized region between said elasticized region and said second side edge.

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14. (Canceled)
15. (Currently amended) The disposable absorbent garment of claim [[14]] 13, wherein said elasticized region is disposed generally centrally between said side edges.
16. (Currently amended) The disposable absorbent garment of claim [[14]] 13, further comprising:  
a second elasticized region positioned between said first and second side edges, said second elasticized region including a second elastic construction having a plurality of spaced apart elastic elements.
17. (Currently amended) The disposable absorbent garment of claim [[14]] 13, wherein said elastic elements are elastic strands.
18. (Currently amended) The disposable absorbent garment of claim [[14]] 13, wherein each of said plurality of elastic [[strands]] elements is generally aligned in perpendicular relation with said side edges.
19. (Currently amended) The disposable absorbent garment of claim [[14]] 13, wherein said elastic elements are disposed in mutual generally parallel relation.
20. (Previously presented) The disposable absorbent garment of claim 13, wherein said composite centerline corresponds with a machine direction of said elastic composite band.
21. (Currently amended) The disposable absorbent garment of claim 13, wherein said elastic elements are adhered to at least one of said top and base layers such that said elasticized region is shirred when said elastic composite band is disposed in a relaxed, unstretched state, and wherein said first and second non-elasticized regions provide fastening regions that are generally flat relative to said elasticized region.
22. (Currently amended) The disposable absorbent garment of claim 21, wherein one of said first and second non-elasticized regions is equipped with a fastening element selected from the group of fastening elements consisting of: adhesive elements and hook and landing elements.

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23. (Previously presented) The disposable absorbent garment of claim 13, wherein said topsheet and backsheet define a front end edge and a back end edge through which said longitudinal centerline extends, and a pair of side margins disposed on opposite sides of said core and extending between said front and back end edges, said disposable absorbent garment further comprising:

a second elastic composite band that is substantially identical to said first elastic composite band, wherein each of said first and second elastic composite bands is attached in the proximity of one of said end edges of said garment and one of said side margins and extends laterally outward relative to said longitudinal center line to provide a fastening tab thereabout.

24. (Previously presented) The disposable absorbent garment of claim 13, wherein said topsheet and backsheet define a front end edge and a back end edge through which said longitudinal centerline extends, and a pair of generally longitudinally extending side margins disposed on opposite sides of said core and extending between said front and back end edges, and wherein said elastic composite band is positioned adjacent one of said end edges of said disposable absorbent garment to provide an elastic waistband therealong.

25. (Currently amended) The disposable absorbent garment of claim 24, further comprising a second elastic composite band that is substantially identical to said first elastic composite band, said second elastic composite band being positioned adjacent said other end edge of said disposable absorbent garment to provide a second elastic waistband therealong.

26. (Previously presented) The disposable absorbent garment of claim 13, further comprising:

a second elastic composite band substantially identical to said first elastic composite band; and

a pair of ear portions for fastening said disposable absorbent garment about the waist of a user, wherein said ear portions extending in opposite lateral directions with respect to said longitudinal center line, each said elastic composite band being incorporated into one of said ear portions.

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27. (Previously presented) The disposable absorbent garment of claim 26, wherein each said elastic composite band is attached near one of said side margins to provide a complete ear portion.

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28. (Currently amended) A disposable absorbent garment, comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet, wherein a longitudinal center line extends through said topsheet, backsheet, and absorbent core, and wherein said topsheet and said backsheet define a front end edge and a back end edge through which said longitudinal centerline extends and a pair of side margins disposed on opposite sides of said core and extending between said end edges, wherein said topsheet, backsheet, and absorbent core, at least partly, form a central body; and

a pair of waist fastening portions disposed on opposite sides of said longitudinal centerline and in proximity with one of said side margins and attached to said central body in proximity to said side margins, each said waist fastening portion having a first side edge, a second side edge, and a fastening portion centerline extending between said side edges that corresponds with a machine direction of said fastening portion, each said fastening portion including a base layer, a top layer, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge, said elastic construction including a plurality of spaced apart elastic elements distributed in a direction between said side edges and in generally perpendicular relation with said fastening portion centerline

wherein each fastening portion further includes,

an elasticized region positioned between said first and second side edges, said elastic construction being disposed in said elasticized region,

a first non-elasticized region positioned between said first side edge and said elasticized region, and

a second non-elasticized region positioned between said second side edge and said elasticized region, and [.]

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wherein said elastic elements are spaced from said first side edge and from said central body to position the first elasticized region between said elasticized region and said central body.

29. (Previously presented) The disposable absorbent garment of claim 28, wherein said elasticized region is positioned generally centrally between said first and second side edges such that said fastening position centerline extends therethrough.

30. (Previously presented) The disposable absorbent garment of claim 28, wherein said plurality of elastic elements are generally equally spaced apart from one another.

31. (Previously presented) The disposable absorbent garment of claim 28, wherein said plurality of elastic elements are elastic strands disposed in mutual generally parallel relation.

32. (Previously presented) The disposable absorbent garment of claim 28, wherein said elastic elements are adhered to at least one of said top and base layers such that said elasticized region is shirred when said elastic composite band is disposed in a relaxed, unstretched state, and wherein said first and second non-elasticized regions provide fastening regions that are generally flat relative to said elasticized region.

33. (Previously presented) The disposable absorbent garment of claim 32, wherein, for each fastening waist portion, said first and second side edges are elongated and one of said first and side edges is attached to said central body along one of said side margins to provide a side panel therealong.

34 - 48 (Previously withdrawn)

49. (New) The disposable absorbent garment of claim 13, wherein at least a plurality of successive elastic elements in said arrangement are a discrete severed section of one elasticized strand.

50. (New) The disposable absorbent garment of claim 13, wherein said each elastic element is spaced from other said elastic elements in a direction parallel with said composite centerline and positioned relative to said composite centerline such that each said elastic element imparts a substantially lateral elasticity to said substantially continuous elasticized region.

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51. (New) The disposable absorbent garment of claim 13, wherein said elastic elements are distributed in an arrangement having a longitudinal direction extending between said side edges from a first elastic element in the arrangement to a second elastic element in the arrangement, wherein a plurality of elastic elements are positioned between the first and second elastic elements to form the substantially continuous elasticized region through the longitudinal centerline of said elastic composite band.

52. (New) The disposable absorbent garment of claim 13, wherein said first non-elasticized region consists of said top layer and said base layer.

53. (New) The disposable absorbent garment of claim 28, wherein each said elastic element is spaced from other said elastic elements in a direction parallel with said centerline and directed laterally toward said side edges such that said elastic elements are configured to impart tension restricted to the lateral direction relative to the centerline.

54. (New) The disposable absorbent garment of claim 28, wherein at least a plurality of successive elastic elements in said arrangement are a discrete severed section of one elasticized strand.

55. (New) The disposable absorbent garment of claim 28, wherein said non-elasticized region consists of said top layer and said base layer.

56. (New) The disposable absorbent garment of claim 28, wherein said elasticized region extends substantially continuously and longitudinally between said first and second side edges.

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57. (New) A disposable absorbent garment comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet such that a longitudinal centerline of said garment extends through said topsheet, said backsheet, and said absorbent core, wherein said topsheet, said backsheet and said absorbent core provide a central body of said disposable absorbent garment; and

an elastic composite band attached to said central body, said elastic composite band having a first side edge, a second side edge, and a composite centerline extending in a direction between, and in generally parallel relation with, said side edges, said elastic composite band including a base layer, a top layer, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge; and

wherein said elastic construction includes a plurality of spaced apart elastic elements distributed in a direction extending between said side edges, each said elastic element being aligned in generally perpendicular relation with said composite centerline; and

wherein at least a plurality of successive elastic elements in said arrangement is formed from one elastic strand, each elastic element being a discrete severed section of said elastic strand.

58. (New) The disposable absorbent garment of claim 57, wherein each said elastic element is spaced longitudinally from other said elastic elements and directed laterally such that each said elastic elements are configured to impart tension restricted to the lateral direction relative to the composite centerline.

59. (New) The disposable absorbent garment of claim 58, wherein said elastic elements are positioned adjacent one another to form a substantially continuous elasticized region extending along said composite centerline.



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60. (New) The disposable absorbent garment of claim 57, wherein each said top layer and base layer includes a pair of side edges, and wherein said elastic elements are spaced inwardly from said side edges of said top and base layers to provide a non-elasticized region between said elasticized region and said side edges.

61. (New) The disposable absorbent garment of claim 60, wherein said elastic elements are spaced from said side edges to provide a non-elasticized region between said central body and said elasticized region.

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62. (New) A disposable absorbent garment, comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet, wherein a longitudinal center line extends through said topsheet, backsheet, and absorbent core, and wherein said topsheet and said backsheet define a front end edge and a back end edge through which said longitudinal centerline extends and a pair of side margins disposed on opposite sides of said core and extending between said end edges; and

a pair of waist fastening portions disposed on opposite sides of said longitudinal centerline and in proximity with one of said side margins, each said waist fastening portion having a first side edge, a second side edge, and a fastening portion centerline extending between said side edges that corresponds with a machine direction of said fastening portion, each said fastening portion including a base layer having a pair of side edges, a top layer having a pair of side edges, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge, said elastic construction including a plurality of spaced apart elastic elements distributed in a direction between said side edges and in generally perpendicular relation with said fastening portion centerline

wherein each fastening portion further includes,

an elasticized region positioned between said first and second side edge and extending substantially continuously therebetween and in a direction generally parallel with the fastening portion centerline, said elastic construction being disposed in said elasticized region,

a first non-elasticized region positioned between said first side edge of said top and base layers and said elasticized region, and

a second non-elasticized region positioned between said second side edge of said top and base layers and said elasticized region.

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63. (New) This disposable absorbent garment of claim 62, wherein said elastic elements are spaced inwardly from said side edges of said top and base layers to position said non-elasticized regions between said elasticized region and said side margins, said first elasticized region being spaced laterally from said side margin and consisting of said top layer and said base layer.

64. (New) The disposable absorbent garment of claim 63, wherein said elastic elements are spaced laterally from one another to form a substantially continuous elasticized region extending along said composite centerline.

65. (New) The disposable absorbent garment of claim 64, wherein each of said elastic elements are formed from a single strand of elastic, each said elastic element being a discrete severed section of said elastic strand.